

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 10-23543-CIV-KING

ROSA GARCIA,

Plaintiff,

v.

SCHINDLER ELEVATOR CORP.,

Defendant.

**ORDER DENYING WITHOUT PREJUDICE TO RENEW DEFENDANT'S MOTION
TO COMPEL DISCOVERY**

THIS MATTER comes before the Court upon Defendant's Motion to Compel Discovery (DE #14), filed May 19, 2011. Defendant's Motion seeks an order from this Court compelling better answers to Defendant's propounded interrogatories, as well as better responses to Defendant's Request for Production. Additionally, Defendant's requests a modification of the Court's Scheduling Order.

According to the Local Rules of the Southern District of Florida, any motion to compel filed with the Court must contain certain information. For example, Rule 26.1(h) requires the following:

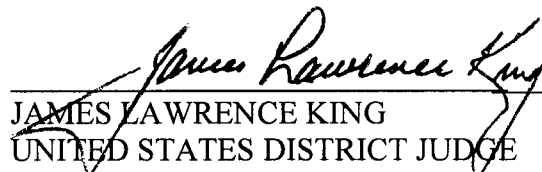
Except for motions grounded upon complete failure to respond to the discovery sought to be compelled or upon assertion of general or blanket objections to discovery, motions to compel discovery in accordance with Federal Rules of Civil Procedure 33, 34, 36 and 37, or to compel compliance with subpoenas for production or inspection pursuant to Federal Rule of Civil Procedure 45(c)(2)(B), *shall, for each separate interrogatory, question, request for production, request for admission, subpoena request, or deposition question, state: (A) verbatim the specific item to be compelled; (B) the specific objections; (C) the grounds assigned for the objection (if not apparent from the objection); and (D) the reasons assigned as supporting the motion as it relates to that specific item. The party shall write this information in immediate succession (e.g., specific request for production, objection, grounds for the objection, reasons to support motion;*

next request for production, objection, grounds for the objection, reasons to support motion; and so on) to enable the Court to rule separately on each individual item in the motion.

Id. (emphasis added). Because Defendant's Motion does not comply with these requirements, the Court denies it at this time without prejudice to renew.

Accordingly, after careful consideration of the Motion, it is **ORDERED, ADJUDGED,** and **DECREED** that Plaintiff's Motion (DE #173) be, and the same is hereby, **DENIED without prejudice to renew.**

DONE AND ORDERED in Chambers at the James Lawrence King Federal Justice Building and United States Courthouse in Miami, Florida, this 24th day of May, 2011.


JAMES LAWRENCE KING
UNITED STATES DISTRICT JUDGE

cc:

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